

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

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U.S. DISTRICT COURT
N.D. OF ALABAMA

ENTERED
MAR 27 2000

ARTHUR J. STEWARD.

Plaintiff,

VS.

CV-97-AR-0758-E

UNITED STATES OF AMERICA.

Defendant.

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on March 9, 2000, recommending that the defendant's motion for summary judgment be granted and this cause be dismissed with prejudice. Plaintiff filed objections on March 20, 2000.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendant is entitled to judgment as a matter of law. Accordingly, the defendant's motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 27th day of March, 2000.

Walter M. Achey

WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE

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